REMARKS

This Response is submitted in reply to the Office Action dated October 20, 2004. Claims 1-12 are pending in the patent application. Claim 1 has been amended. No new matter has been added by any of the amendments made herein.

Claims 1-12 were rejected under 35 U.S.C. § 103(a). Applicant respectfully submits, for at least the reasons set forth below, that the rejections have been overcome or are improper. Accordingly, Applicant respectfully requests reconsideration of the patentability of Claims 1-12.

Claims 1-12 were rejected under 35 U.S.C. § 103(a) as been unpatentable over U.S. Patent No. 4,602,129 to Matthews et al. ("*Matthews*"). As a preliminary matter, Applicant respectfully submits that it appears that this rejection should be based on the combination of *Matthews* and U.S. Patent No. 5,550,907 to Carlsen ("*Carlsen*") because the Office Action states that *Carlsen* teaches some of the elements of the claimed invention. (See the Office Action, page 4). Accordingly, Applicant has responded to this rejection based on the combination of *Matthews* and *Carlsen*.

Applicant respectfully submits that the combination of *Matthews* and *Carlsen* does not disclose, teach or suggest the elements of the claimed invention for the following reasons.

Matthews is directed to an electronic audio communications system with a versatile message delivery that provides for the deposit, storage and deliver of audio messages to a number of users of the system. Specifically, *Matthews* includes a voice message system 10 which enables a user to deposit a message in a data storage subsystem for automatic delivery to other users connected to the system. (See the Abstract). Any user who receives the message can then reply to the audio message and transmit a reply to at least one of the senders. (Col. 2, lines 1-11).

On the contrary, *Carlsen* is directed to a personal communication system using intelligent terminals, where the terminals can be a telephone, fax machine or similar device. The system described by *Carlsen* includes a central processor which contains a list of intelligent terminals assigned to each subscriber of the system. The processor has the ability to query terminals on the list. Therefore, when a subscriber receives a call or message each of the specific intelligent terminals on the subscriber's list are queried by

the central processor to determine when the subscriber was last present at each terminal. The central processor then generates a control signal to complete the call to the particular terminal that was most recently visited or used terminal by the subscriber. (See the Abstract).

As described above, *Matthews* is directed to an audio system which enables a user to deliver a message to a number of subscribers. *Carlsen* is directed to a system including at least one intelligent terminal which enables a processor to deliver or route a call or message to a subscriber at a pre-designated terminal which the subscriber most recently used or visited. *Carlsen* does not disclose, teach or suggest enabling one subscriber to send a message to a number of the other subscribers in the network or for enabling a subscriber to leave a message for another subscriber to retrieve the message on a central voice message system. Therefore, a person of ordinary skill in the art would not be motivated to combine *Matthews,* which is directed to a system for communicating with a number of subscribers, with *Carlsen*, which is directed to an intelligent terminal which routes messages to a single subscriber, to achieve the claimed invention, where there is not teaching or suggesting in neither reference to make such a combination.

Even if *Matthews* and *Carlsen* are combined, the combination does not disclose, teach or suggest the elements of the claimed invention. As described above, *Matthews* is directed to an advanced electronic telecommunication system which includes a voice message system. The voice message system enables a user to place a message in a data storage subsystem for automatic delivery to other addresses connected to the system and to designate the message for priority transmission. (See the Abstract). *Matthews* does not disclose, teach or suggest a communication system which enables a plurality of users to mutually communicate through communication data addressed to a common phone number issued by a communication terminal which is a management terminal. The Office Action, however, states that *Matthews* teaches a common phone number issued by a management terminal as defined by Claims 1 and 7. Applicant respectfully disagrees.

The common phone number referred to in the Office Action is not a phone number but an address such as a three digit distribution list code which stores one or more previously defined individual telephone numbers of members of the group. (Col. 22, lines 59-65). Each member does not have access to another member's three digit

distribution code. Therefore in *Matthews*, the members in the group do not enter or dial the address (i.e., distribution code) of another member to access the communications network. Therefore contrary to the claimed invention, the "address" referred to in *Matthews* by the Office Action is not a common phone number or other number utilized by a number of terminals or members as in the claimed invention. Therefore, *Matthews* does not disclose, teach or suggest this element of Claims 1 and 7.

Matthews also does not disclose, teach or suggest a device for sending a message from a registered communication terminal using a common phone number to other registered terminals using a first mode and a second mode, where the first mode directly sends a message file to the other communication terminals and the second mode stores the message file in a message managing unit and notifies the other registered terminals of the message file as in the claimed invention.

Regarding the first mode, as described above, *Matthews* does not disclose or suggest a common phone number which is used by registered terminals to send a message from one terminal to other registered terminals in a network.

Regarding the second mode, the Office Action states that *Matthews* discloses a second mode of notifying other registered terminals of the arrival of a message in the message management unit. Applicant respectfully disagrees. *Matthews* teaches an inquiry function 750 which enables a user to dial or contact the voice message system 10 to determine if any messages have been left for that user. The voice message system does not automatically send a message to each user when a message is left on the system for those users as in the claimed invention. Therefore, *Matthews* does not disclose, teach or suggest the first mode or the second mode defined by Claims 1 and 7.

Moreover, the Office Action states that *Matthews* discloses all of the elements of the claimed invention except for "registering a predetermined communication terminal" as defined by Claims 1 and 7. The Office Action therefore relies on *Carlsen* to remedy this deficiency of *Matthews*. Specifically, the Office Action states that *Carlsen* teaches the element of:

> [a] means for registering a predetermined communication terminal so as to correspond to said used common phone number by sending an identification name of the predetermined communication terminals of said

> plurality of communication terminals to said phone number management unit and corresponds with said common phone number issued from said management terminal.

Carlsen does not disclose, teach or suggest a system where the subscribers utilize a common phone number to send and/or receive messages from other subscribers. As described above, *Carlsen* is directed to a system for routing messages to subscribers at the locations most recently visited or used by the subscriber. This system is different than the claimed invention defined by Claims 1 and 7 which are directed to a communications system for sending and receiving message for several subscribers.

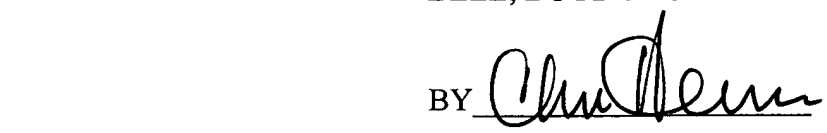
Therefore, for at least these reasons, the combination of *Matthews* and *Carlsen* does not disclose, teach or suggest the elements of Claims 1 and 7. Claims 4 and 10 include certain similar elements to Claims 1 and 7. Therefore, Claims 1, 4, 7, 10 and Claims 2, 3, 5, 6, 8, 9, 11 and 12, which depend from these claims, are each patentably distinguished from the combination of *Matthews* and *Carlsen* and are in condition for allowance.

In light of the above, Applicant respectfully submits that Claims 1-12 are patentable over the art of record because the combination of *Matthews* and *Carlsen* does not disclose, teach or suggest the elements of these claims. Accordingly, Applicant respectfully requests that Claims 1-12 be deemed allowable at this time and that a timely notice of allowance be issued in this case.

No fees are due in this case. If any other fees are due in connection with this application as a whole, the Patent Office is authorized to deduct the fees from Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the attorney docket number (112857-070) on the account statement.

Respectfully submitted,

BELL, BOYD LLOYD LLC

BY 

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